

2NORTH CAROLINA
JUSTICE

MECKLENBURG COUNTY

DR. RAMESH K. SUNAR & ASSOCIATES
f/k/a DR. STEVEN H. GHIM &
ASSOCIATES, PLLC

Plaintiff,

v.

DR. STEVEN H. GHIM AND DAISY D.
CHANG,

Defendants.

IN THE GENERAL COURT OF
SUPERIOR COURT DIVISION
12 CVS 2118

VERDICT

WE, THE JURY, unanimously answer the issues presented as follows:

ISSUES:

1. Did Defendant Ghim do at least one of the following:
 - a. Convert Plaintiff's Property?
Yes ✓ No
 - b. Convert the Plaintiff's funds to obtain an unfair advantage in the marketplace?
Yes ✓ No
 - c. Breach fiduciary duties he owed to the Plaintiff that contributed to Defendant Ghim obtaining an unfair advantage in the marketplace?
Yes ✓ No
 - d. Take advantage of a position of trust and confidence in order to gain an unfair advantage in the marketplace?
Yes ✓ No

- e. Wrongfully obtain the Plaintiff's patient contacts and solicit those patients for the purpose of obtaining an unfair advantage in the marketplace?

Yes ☒ No ☐

- f. Wrongfully divert the Plaintiff's mail to his new office for the purpose of obtaining an unfair advantage in the marketplace?

Yes ☒ No ☐

- g. Engage in conduct that was unethical, unscrupulous, or substantially injurious to consumers?

Yes ☒ No ☐

- h. Engage in conduct that had the tendency or capacity to mislead, or created the likelihood of deception in commercial transactions involving outside businesses, distinct corporate entities, or the interruption of a commercial relationship between two market participants?

Yes ☒ No ☐

(If you answered "Yes," to at least one of the above questions, please proceed to issue 2. If you answered "No," to all of the above questions, please proceed to issue 5.)

2. Was Defendant Ghim's conduct in commerce or did it affect commerce?

Yes ☒ No ☐

(If you answered this issue "Yes," please proceed to issue 3. If you answered this issue "No," please proceed to issue 5.)

3. Was Defendant's Ghim's conduct the proximate cause of the Plaintiff's injuries?

Yes ☒ No ☐

(If you answered this issue "Yes," please proceed to issue 4. If you answered this issue "No," please proceed to issue 5.)

4. In what amount, if any, has the Plaintiff been injured?

ANSWER: \$ 1.00

5. Did Defendant Ghim convert the patient payments of the Plaintiff?

Yes ☒ No ☐

(If you answered this issue "Yes," please proceed to issue 6. If you answered this issue "No," please proceed to issue 7.)

6. What amount, if any, is the Plaintiff entitled to recover for damages for Defendant Ghim's conversion of the Plaintiff's funds?

ANSWER: \$ 191,024.00

7. Did Defendant Ghim embezzle patient payments from the Plaintiff?

Yes ☒ No ☐

(If you answered this issue "Yes," please proceed to issue 8. If you answered this issue "No," please proceed to issue 9.)

8. What amount, if any, is the Plaintiff entitled to recover for damages for Defendant Ghim's embezzlement from the Plaintiff?

ANSWER: \$ 171,314.00

9. Did Defendant Ghim breach a fiduciary duty owed to the Plaintiff?

Yes ☒ No ☐

(If you answered this issue "Yes," please proceed to issue 10. If you answered this issue "No," please proceed to issue 11.)

10. What amount, if any, is the Plaintiff entitled to recover for damages for Defendant Ghim's breach of fiduciary duty?

ANSWER: \$ 1.00

11. Did Defendant Ghim take advantage of a position of trust and confidence that caused harm to the Plaintiff?

Yes ☒ No ☐

(If you answered this issue "Yes," please proceed to issue 12. If you answered this issue "No," please proceed to issue 13.)

12. What amount, if any, is the Plaintiff entitled to recover for damages for Defendant Ghim's taking advantage of a position of trust and confidence?

ANSWER: \$ 2,310.00

13. Is Defendant Ghim liable to the Plaintiff for punitive damages?

Yes ☒ No ☐

(If you answered this issue "Yes," please proceed to issue 14. If you answered this issue "No," please proceed to issue 15.)

14. What amount, if any, is the Plaintiff entitled to recover for punitive damages?

ANSWER: \$ 500,000.00

15. Did Defendant Chang conspire with Defendant Ghim to convert and embezzle the Plaintiff's funds?

Yes ☐ No ☒

(If you answered this issue "Yes," please proceed to issue 16. If you answered this issue "No," please stop, this concludes your deliberations.)

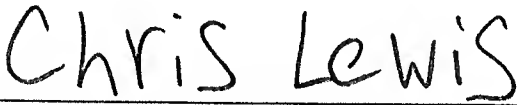
16. What amount, if any, is the Plaintiff entitled to recover from Defendant Chang for damages caused by the acts committed pursuant to the civil conspiracy?

ANSWER: \$ _____

This the 18 day of September, 2019

A handwritten signature in cursive script, appearing to read "Chris Lewis", written over a horizontal line.

Signature of Jury Foreperson

The name "Chris Lewis" written in a clear, blocky, printed font, positioned above a horizontal line.

Print name of Jury Foreperson